

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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13 MCKESSON INFORMATION
14 SOLUTIONS, INC.,

15 Plaintiff, NO. CIV. S-02-2669 FCD KJM

16 v. FURTHER REFERRAL ORDER

17 BRIDGE MEDICAL, INC.,

18 Defendants.

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20 Defendant Bridge Medical, Inc.'s ("Bridge") motion for
21 summary judgment or, alternatively, summary adjudication of "non-
22 infringement" (docket #464)¹, filed July 1, 2005, is currently
23 pending before the undersigned. However, in light of Magistrate
24 Judge Mueller's judicial role in the Markman proceedings, the

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27 ¹ Said motion also involved other issues, namely,
28 Bridge's request for summary adjudication of its affirmative
defenses/counter-claims for invalidity for obviousness and/or
unenforceability due to inequitable conduct in prosecuting the
subject patent. Those issues were addressed and resolved by the
undersigned in orders, filed August 11, 2005.

1 undersigned further refers to her, for findings and
2 recommendations, the infringement issue presented by Bridge's
3 motion. The briefing on the motion is complete. Magistrate
4 Judge Mueller may set a hearing on the motion. The findings and
5 recommendations shall be due on or before September 16, 2005.
6 Accordingly, the undersigned vacates the hearing date of August
7 19, 2005.

8 As a result of this referral, the court vacates the final
9 pretrial conference and trial dates, currently set for September
10 30 and November 29, 2005, respectively, and continues the final
11 pretrial conference to December 2, 2005 at 2:30 p.m. and the
12 trial to March 7, 2006 at 9:00 a.m.

13 IT IS SO ORDERED.

14 DATED: August 11, 2005 /s/ Frank C. Damrell Jr.
15 FRANK C. DAMRELL, Jr.
UNITED STATES DISTRICT JUDGE

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